



OFFICE OF THE
BOARD OF APPEALS
TOWN OF DUNSTABLE
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-4371
zoning-appealsboard@dunstable-ma.gov

Approved
5/22/13

Giuffreda Variance Hearing
April 4, 2012

Members Present: Leo Tometich, Chairperson
Ted Gaudette John Martin, Clerk
Lisa O'Connell, Member
Ted Gaudette, Member
Gerald Mead, Associate Member

Members Absent:
Josh West, Member
Judy Thompson, Associate Member
Al Horton, Associate Member

Petitioners Present: Michael and Tina Giuffreda, 19 Kristin Lane, Dunstable, MA 01827

This meeting's intent was to file a formal decision with the Town Clerk regarding the application of Michael Giuffreda, 19 Kristin Lane, Dunstable, MA 01827 owner of the property located at 19 Kristin Lane, Dunstable, MA, 01827 for a variance from the dimensional requirements of the Dunstable Zoning By-laws, Sections 4.3 and 11.1, to construct a rear deck within the thirty (30) foot setbacks.

Chairperson, Leo Tometich called the meeting to order and opened the hearing at 7:03 p.m. He read the hearing notice and the certified parties in interest for the record. He asked the petitioner to present his case.

Michael Giuffreda stated that he would like to build a 16' by 12' rear deck within the required 30 foot setbacks. The rear deck would be a little less than 7' within the required 30 foot setbacks. The rear deck would be where there is now a slider and a small balcony. There is no egress on the first floor at the rear of the house because the balcony is 8' from the ground below.

Ted Gaudette asked if the house is in a cluster development.

Michael Giuffreda replied yes.

Leo Tometich asked what is behind the house.

Michael Giuffreda replied **Town of** Dunstable owned open space.

John Martin asked if the deck would be attached to the house and if it would be supported.

Michael Giuffreda replied that the deck would be attached to the house and be on support beams.

John Martin asked if there was a door under where the deck would be constructed.

Michael Giuffreda replied no the door is far away from where the deck would be constructed.

Leo Tometich asked if there were any other interested parties that would like to speak. No other interested parties attended the hearing.

Ted Gaudette referenced section 4.3 of the Dunstable Zoning By-laws saying any **extension**, alterations or **reconstruction may be permitted if the board found that it was not more detrimental to the neighborhood.**

Ted Gaudette motioned to vote whether the rear deck would be not more or more detrimental to the neighborhood. Lisa O'Connell seconded the motion and the roll was called.

Leo Tometich – not more detrimental
John Martin – not more detrimental
Ted Gaudette - not more detrimental
Lisa O'Connell - not more detrimental

Leo Tometich said the motion carried.

Lisa O'Connell motioned to vote to grant or deny the variance. Ted Gaudette seconded the motion and the roll was called.

Leo Tometich – to grant
John Martin – to grant
Ted Gaudette – to grant
Lisa O'Connell – to grant
Gerald Mead – to grant

The motion carried.

Leo Tometich explained the procedures going forward to the petitioners.

Leo Tometich motioned to close the hearing. John Martin seconded the motion and all were in favor. The hearing was closed at 7:25 pm.